

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Joint Petition of the New York State Public Service	)	CC Docket No. 96-98
Commission, the New York State Consumer Protection	)	
Board and the City of New York for an Expedited	)	
Temporary Waiver of 47 C.F.R. § 52.19 (c)(3)(ii)	)	

**JOINT PETITION FOR AN EXPEDITED TEMPORARY WAIVER  
OF 10-DIGIT DIALING IMPLEMENTATION**

The Second Circuit Court of Appeals recently affirmed a Federal Communications Commission (Commission) order mandating 10 digit dialing in New York City. Under the Second Circuit's 10-month implementation plan, customer notification would begin immediately, absent Commission action. For the reasons stated below, the New York Public Service Commission, the New York State Consumer Protection Board and the City of New York (Joint Petitioners) request that the Commission expeditiously exercise its waiver authority and grant an additional 14 months for implementation of 10 digit dialing.

**BACKGROUND**

The attacks that occurred on the World Trade Center (WTC) on September 11, 2001 damaged a portion of the infrastructure serving New York City and disrupted business, as well as some residential, service throughout the area. The City predicts a

cost of approximately \$1 billion in lost revenues in this fiscal year and 100,000 jobs .<sup>1</sup>

There are estimates that it will take 12 months to remove the debris from the damaged site.

**The Commission Should Grant the Joint  
Petitioners' Request for a Temporary Waiver  
of 47 C.F.R. § 52.19(c)(3)(ii)**

Implementing 10 digit dialing in the next 10 months would require that Internet access modems, facsimile machines and other telephone equipment owned by thousands of businesses and consumers in New York City be replaced or reprogrammed. Customers would be required to change their auto-dials, PBXs, stationary and advertising to reflect the necessary changes. In addition, alarms and security systems would need to be modified. The point is not that such steps cannot be taken, but that they should not, and need not, be addressed while New York is confronting the broad range of challenges raised by the WTC attack.

A temporary waiver of 10 digit dialing in New York City for an additional 14 months would not seriously undermine the Commission's policy of promoting competition, which has progressed well in New York. Indeed, full implementation would occur by September, 2003. A waiver would, however, allow Verizon and the business community to focus exclusively on rebuilding infrastructure and reestablishing its position as an economic center. Once those goals are met, New York City will be in a better position to transition to 10 digit dialing.

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<sup>1</sup> NY Officials Seek Billions in Federal Aid, The Associated Press, CNN.Com, October 10, 2001.

## **CONCLUSION**

The Joint Petitioners respectfully request that the Commission grant a temporary waiver of 47 C.F.R. § 52.19 (c)(3)(ii) and allow an additional 14 months to implement 10 digit dialing in New York City.

Respectfully submitted,

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